

Regular Meeting

August 28, 2006
9:00 a.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, August 28, 2006, at 9:18 a.m. with Priscilla Tyson, Grady Pettigrew, and Eileen Paley in attendance.

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RE: Review and approval of the minutes from the July 31, 2006, regular meeting.

A motion to approve the minutes was made, seconded, and passed unanimously.

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RE: Review of the results of the pre-hearing conference for the following appeals:
a) Tina Randolph vs. Columbus Public Schools, Appeal No. 06-BA-0010. Food Service Helper – 4 day Suspension – Hearing Scheduled for Wednesday, October 4, 2006.
b) Sheila Bowers vs. Columbus Public Schools, Appeal No. 06-BA-0002. Food Service Helper – 4 day Suspension – Hearing Scheduled for Monday, November 13, 2006.
c) Thelma Shaw vs. Columbus Public Schools, Appeal No. 06-BA-0016. Food Service Helper – 4 day Suspension – Hearing Scheduled for Thursday, November 16, 2006.

This item was deferred.

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RE: Request of the Civil Service Commission staff to amend Rule X, to clarify the process used to reappoint police and fire chiefs pursuant to Charter Section 101-1.

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the Background Removal Standards for Police Officers, Police Communications Technicians and Firefighters.

PRESENT: Theresa L. Carter, Deputy Executive Director

The Commission staff is recommending the adoption of revisions to the background removal standards for police officers, police communications technicians, and firefighters.

A group representing the Department of Public Safety, the Divisions of Police and Fire, and the Commission met to review the standards with a discussion of the theft standards in particular. One proposed revision is to increase the dollar amount for theft standards G.1 and G.3 to \$400, and to increase the dollar amount for police officer standard G.2 to \$400. This change is being recommended because the standards have been in place for more than ten years with the \$200 limit.

It is also recommended that standard I.5 be revised to state, "Failure to return completed Personal History Questionnaire, or failure to respond to phone calls or correspondence from Background Personnel." Standard I.8 has been added to include, "Failure to appear for Oral Board."

The following changes are being recommended for the firefighter standards in order for the wording to be the same as the police officer standards. Standard G.1 and G.3 insert: "in the past five (5) years." The firefighter standards previously have not had a time limit. Division of Fire representatives felt that these standards should mirror the

police officer standards. Standard H.4: adopt the language of the police officer standard which would change, "if the sale involved..." to "*unless* the sale involved..."

As a standard practice, the current police officer and firefighter eligible list has been reviewed to identify any individuals who were removed based on the current standards and subsequently filed a Background Administrative Review. Those individuals who would meet the revised standard will be submitted to the Commission for reinstatement later in this meeting.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of appellant Gretchen Parker to withdraw the appeal she filed with the Civil Service Commission on May 25, 2005, regarding her discharge from the position of Food Service Helper with the Columbus Public Schools – Appeal No. 05-BA-0017.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Review and Approval of Trial Board Recommendations.

No trial board recommendations were submitted this month.

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RE: Request of the Columbus Public Schools to approve the establishment of the specification for the new classification of Employee Benefits and Risk Manager – Class Code 9141.

PRESENT: Jackie Chapman, Columbus Public Schools

Ms. Chapman presented this request from Columbus Public Schools to establish the specification for the new classification of Employee Benefits and Risk Manager. This classification will be responsible for supervising and coordinating activities related to the management of various benefit programs such as life and health insurance, and other benefits for Columbus Public School employees. This classification will be offered as a noncompetitive classified supervisor with a probationary period of 240 days.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Columbus Public Schools to approve the establishment of the specification for the new classification of Administrative Assistant – Class Code 9043.

PRESENT: Jackie Chapman, Columbus Public Schools

Ms. Chapman presented this request from Columbus Public Schools to establish the specification for the new classification of Administrative Assistant. The development of this classification is pursuant to an agreement made between Columbus Public Schools management and its association CSCSA (Columbus Schools Classified Supervisors Association) for July 11, 2006 thru June 30, 2007. This classification will be responsible for performing difficult and complex secretarial, confidential, and administrative tasks. This classification will be offered as a noncompetitive classified supervisor with a probationary period of 240 days.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Building Services Specialist with no revisions (Class Code 2016.)

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Building Services Specialist with no revisions. The review of this classification is a result of the Civil Service Commission's effort to review all classifications every five years. Building Services Specialist was last reviewed in July 2001. At the time of this review there was one employee serving in this classification in the Development Department, Building Services Division.

After reviewing the specification and questionnaire completed by the incumbent, with supervisory review, it was decided that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Building Services Specialist be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Dental Hygienist with no revisions (Class Code 1584).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request that the Dental Hygienist classification be approved with no changes. The review of this classification is a result of the Civil Service Commission's effort to review all classifications every five years. Dental Hygienist was last reviewed in November of 2001. There are currently three employees serving in this classification in the Columbus Health Department.

After reviewing the specification and questionnaires completed by the incumbents, with supervisory review, it was decided that this current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Dental Hygienist be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission to approve the specification review for the classification Facilities Management Division Administrator with no revisions (Class Code 0295).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Facilities Management Division Administrator with no revisions. In accordance with Civil Service Commission policy, any classification that has not been reviewed during the past five years shall be reviewed and revised if needed. This classification was last reviewed in November of 2001. There is currently one employee serving in this classification.

As part of the class review, the current incumbent was contacted to discuss potential changes to the specification. Based on this feedback, there were no changes recommended to the class specification at the present time.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission to abolish the specification for the classification Word Processing Specialist and amend Rule XI accordingly (Class Code 0570).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Word Processing Specialist. With the Clerical Consolidation Project implemented and the affected positions properly allocated to one of the new consolidated classes, it was recommended that the preceding clerical classes that are now vacant be abolished in lieu of the new class series.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Human Resources Assistant amend Rule XI accordingly (Class Code 0910).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Human Resources Assistant. With the Clerical Consolidation Project implemented and the affected positions properly allocated to one of the new consolidated classes, it was recommended that the preceding clerical classes that are now vacant be abolished in lieu of the new class series.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to Revise the specification for the classification Property Maintenance Inspection Trainee (Class Code 1789).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Property Maintenance Inspector (Class Code 1790).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for Property Maintenance Inspector in conjunction with the class review that is underway for the entire Property Maintenance Inspection series. Property Maintenance Inspector was last revised in April 2002. There are currently forty-two employees serving in this classification in the Development Department.

No revisions to the definition, examples of work, knowledge, skills, and abilities, examination type, or probationary period were recommended. The only revision proposed was to the minimum qualifications section in order to correctly reference the International Code Council as the certifying agency for the Property and Housing Maintenance Inspector. Previously, there were four certifying agencies identified on the specification that have subsequently come under the umbrella of the International Code Council.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Property Maintenance Inspection Supervisor (Class Code 1796).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for the classification Property Maintenance Inspection Supervisor in conjunction with the class review that is underway for the entire Property Maintenance Inspection series. Property Maintenance Inspection Supervisor was last revised in April 2002. There are currently nine employees serving in this classification in the Development Department.

No revisions to the definition, examples of work, knowledge, skills, and abilities, examination type, or probationary period were recommended.

The only proposed change to the specification was in the minimum qualifications section and it was to correctly reference the International Code Council as the certifying agency for the Property and Housing Maintenance Inspector. Previously, there were four certifying agencies identified on the specification that have subsequently come under the umbrella of the International Code Council.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Safety Program Manager (Class Code 1718).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request in response to the Commission's objective to review all classifications at least every five years to ensure accuracy. Safety Program Manager was last revised February of 2001. There are currently eight employees serving in positions allocated to this classification in multiple departments throughout the City. Based upon discussions with the City's Occupational Safety Manager regarding the functionality of the safety series and questionnaire data submitted by employees and supervisors of this class, some revisions to the specification are requested.

The definition was revised to more accurately and succinctly state the reason or purpose that this classification exists. Revisions to the examples of work were recommended to better represent the type of work typically performed by employees of this classification. Revisions to the minimum qualifications would require possession of a bachelor's degree and two years of experience in safety program development or management, safety education or training, safety inspection or safety engineering. A substitution would remain that would allow experience to substitute for the education requirement on a year for year basis. The proposed revision deletes the part that requires the bachelor's degree to be in specific majors and increases the experience requirement from one to two years. The increased experience requirement is more consistent with safety manager jobs found elsewhere. One additional statement was proposed for the knowledge, skills, and abilities section to read "...ability to facilitate safety meetings." Several others statements were deleted that were task statements rather than true ability statements. No revisions to the probationary period or examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Safety Program Manager (Class Code 1718).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Property Evidence Technician, retitle it to read Police Evidence Technician, and amend Rule XI accordingly (Class Code 3029).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Community Relations Commission Executive Director (Secretary)(U) (Class Code 0038).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Human Resources Program Manager (Class Code 0894).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request as part of the Commission's objective to review all classifications at least every five years to ensure accuracy. Human Resources Program Manager was last revised and retitled in November of 2001. There are currently ten employees serving in positions allocated to this classification throughout the City. Based upon information received via questionnaires and available position descriptions, some revisions were recommended.

The definition was revised to more accurately reflect the scope of responsibility assigned to a Human Resources Program Manager whether located in a centralized or decentralized human resources office. Several revisions to the examples of work section were proposed to better represent the type of work typically performed by employees of this classification. It was recommended that the guidelines for class use section be revised to read, "The allocation of positions to this classification is not for use in the Department of Human Resources or the Civil Service Commission. Positions allocated to this classification must supervise a human resources staff." Previously, the Guidelines stipulated that positions must supervise a professional human resources staff. The reality is that not every employee in this class supervises professional staff yet they are clearly performing in the capacity as a Human Resources Program Manager. It was therefore determined that the Guidelines were unrealistic and in need of revision. No revisions to the minimum qualifications, knowledge, skills, and abilities, probationary period, or examination type sections of the specification.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Wastewater Chemist III (Class Code 1930).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Wastewater Chemist III as part of the Civil Service Commission's effort to review all classifications every five years. Wastewater Chemist III was last reviewed in

September of 2002 but other classifications in the series have not been reviewed in five years so it was decided to review this classification also. There are currently no employees serving in this classification. Based on feedback from department representatives some revisions were recommended.

No revisions to the definition were recommended. A guidelines for class use was recommended to indicate that this is a single-position classification restricted to the Sewerage and Drainage Division. It was recommended that the minimum qualifications section be revised to read possession of a bachelor's degree in chemistry, microbiology, environmental science or a closely related scientific field, four years of experience in wastewater or environmental laboratory analysis and possession of a valid driver's license with a master's degree in one of the above areas substituting for one year of the required experience. These changes would increase the likelihood of candidates being minimally qualified and also make it easier to determine if they meet the minimum qualifications. No revisions to the examples of work, knowledge, skills, and abilities, probationary period, or examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Wastewater Chemist II (Class Code 1929).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Wastewater Chemist II as part of the Civil Service Commission's effort to review all classifications every five years. Wastewater Chemist II was last reviewed in August of 2001. There are currently four employees serving in this classification in the Sewerage and Drainage Division. Based on feedback from incumbents and department representatives, it was recommended that some revisions be recommended at this time.

No revisions to the definition were proposed. It was recommended that the minimum qualifications section be revised to read possession of a bachelor's degree in chemistry, microbiology, environmental science, or a closely related scientific field, two years of experience in wastewater or environmental laboratory analysis, and possession of a valid driver's license with a master's degree in one of the above areas substituting for one year of the required experience. No revisions to the examples of work, knowledge, skills, and abilities, examination type, or probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Wastewater Chemist I (Class Code 1928).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's efforts to review all classifications every five years. Wastewater Chemist I was last reviewed in September of 2002 and was reviewed at this time because other classifications in the series have not been reviewed in five years. There are currently twelve employees serving in this classification located in the Sewerage and Drainage Division. As part of this review, Civil Service Commission staff members reviewed questionnaires completed by incumbents and department representatives were solicited to provide feedback about potential changes. Based on this feedback, it was recommended that only one revision was required at this time.

By definition, a Wastewater Chemist I is responsible for examining and analyzing samples of industrial waste, wastewater, sludge, and other wastewater residuals for

compliance with governmental regulations. This definition accurately describes the main purpose of this classification. However, analyzing samples of storm water is also a major part of the job. Therefore, it was recommended that "storm water" be added to the definition as one of the wastewater residuals that is analyzed by a Wastewater Chemist I.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Refuse Collection Operations Manager (Class Code 3935).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's efforts to review all classifications every five years. It was noted that the request is only to revise the specification – the agenda language is incorrect in stating the request includes designating the examination type as noncompetitive and to amend Rule XI accordingly. Refuse Collection Operations Manager was last reviewed in March 2000. There is currently one employee serving in this classification in the Public Service Department, Refuse Collection Division. As part of this review, Civil Service reviewed a questionnaire completed by the incumbent and department representatives were solicited to provide feedback about potential changes. Based on this feedback, it was recommended that this specification be revised as proposed.

No revisions to the definition were recommended. It was recommended that a guidelines for class use section be added, stating that this is a single-position classification restricted to the Refuse Collection Division in order to ensure uniformity and consistency with the refuse collection operations. It was recommended that the minimum qualifications section be revised to read "Possession of a bachelor's degree and one year of experience in the management of a solid waste management organization. Substitution(s): Four years of the specified experience may be substituted for the educational requirement on a year-for-year basis" and possession of a valid motor vehicle operator's license." There were no proposed revisions to the examples of work, knowledge, skills, and abilities, examination type, or probationary period.

A motion to approve the corrected request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Refuse Collection District Manager (Class Code 3933).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Refuse Collection District Manager as part of the Civil Service Commission's efforts to review all classifications every five years. Refuse Collection District Manager was last reviewed in June of 2001. There are currently three employees serving in this classification in the Public Service Department, Refuse Collection Division. Based on feedback from incumbents, it was recommended that this specification be revised as proposed.

No revisions to the definition, examples of work, minimum qualifications, knowledge, skills, and abilities, examination type, or probationary period were recommended.

The only revision proposed to this specification was the addition of a guidelines for class use section to specify that this classification may only be used by the Refuse Collection Division. Also, since the Division is separated into districts throughout the City,

it was specified in this proposed section that the Refuse Collection District Manager classification is limited to one position per district.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Refuse Container Assembler and Repairer (Class Code 3929).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Refuse Container Assembler and Repairer as part of the Civil Service Commission's efforts to review all classifications every five years. Refuse Container Assembler and Repairer was last reviewed in June of 2001. There are currently eight employees serving in this classification in the Public Service Department, Refuse Collection Division. As part of this review, Civil Service staff reviewed the current specification and department representatives were solicited to provide feedback about potential changes. Based on this feedback, it is recommended that this specification be revised as proposed.

No revisions to the definition, minimum qualifications, knowledge, skills and abilities, examination type, or probationary period were recommended. The only revision recommended to this specification was the modification of one duty to the examples of work section; include receiving and responding to complaints forwarded from the 311 Call Center.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Crime Analyst II, retitle it to read Crime Analyst Supervisor, and amend Rule XI accordingly (Class Code 3027).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Crime Analyst I, retitle it to read Crime Analyst, and amend Rule XI accordingly (Class Code 3026).

This item was deferred.

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*RE: Personnel Action.
Request of the Civil Service Commission staff to reallocate one position in the current Network Manager classification (Class Code 0264) to the It Operations Manager Classification (Class Code 0542) and allow the affected incumbent to retain his current classification status and seniority*

PRESENT: Barbara Crawford, Personnel Analyst II

Barbara Crawford presented this request to reallocate position number #47-02-00340, currently Network Manager (Class Code 0264) in the Department of Technology to the specification for the classification IT Operations Manager (Class Code 0542). The consolidation of citywide technology functions within the Department of Technology (DoT) has resulted in a centralized technology structure. This restructuring indicated a need for more specialized classifications to fit the work currently performed by DoT employees. Commission staff has continued to work closely with the Department of Technology to

ensure that the City has the right combination of job families and classifications to meet the needs of its clients as well as those of DoT.

When the incumbent in this position, Thomas Zabar, was hired on October 15, 2000, to oversee the operation of the Data Center within the Department of Technology, the classification of IT Operations Manager was in the process of being created and was subsequently approved by Commission action on October 30, 2000. At that time, the Civil Service Commission allowed the department to hire Mr. Zabar as a Network Manager, the classification having duties and responsibilities closest to those which he would be performing in the Data Center. However, this included the provision that once the pay and bargaining unit were assigned, Mr. Zabar's position would be reallocated to IT Operations Manager. The pay and bargaining unit were just recently assigned in May 2006.

The incumbent has been performing the duties and responsibilities now assigned to an IT Operations Manager since his hire date in 2000. Mr. Zabar meets the minimum qualifications for this class, has completed the probationary period, and has permanent status in his current classification. Therefore, it is requested that position #47-02-00340 be reallocated to IT Operations Manager and that the affected employee retain his current classification status and seniority.

Thomas Zabar (Class Code 0264) Position #47-02-00340

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Personnel Action.

Request of the Civil Service Commission staff to reallocate designated positions in the Support Services Division, Department of Public Safety, currently Electronic Systems Specialist (Class Code 3670), to the Communication Systems Specialist classification (Class Code 3675), and allow the affected incumbents to retain their current classification status and seniority.

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to reallocate designated positions, currently classified as Electronic Systems Specialist (Class Code 3670) in the Department of Public Safety to the classification Communication Systems Specialist (Class Code 3675). The Communication Systems Specialist class was created by Commission action in January 2006 to best capture the work performed on the complex electronic communication systems such as the enhanced 911, 800 mhz, and MOSCAD radio systems maintained within the Support Services Division. It has been determined that the level and type of work performed by these designated positions are more in line with the Communication Systems Specialist class. It is further requested that these individuals retain their classification seniority and status when reallocated to the new classification. While the classification title may be changing, the work assigned and performed by these employees will remain the same.

The designated individuals meet the minimum qualifications of the new class and, with their seniority transferring to the new class, will have served or will continue to serve the assigned probationary period for the new class in order to achieve permanent status. Therefore, it is requested that the designated positions be reallocated to the specification for the classification Communication Systems Specialist and the affected employees retain their classification status and seniority.

Brian L. Poling	Position #30-02-00107
Brian T. Wilgus	Position #30-02-00108
John D. Wolff	Position #30-02-00046
Gordon L. Gruver	Position #30-02-00087
Marcellus G. Stewart	Position #30-02-00101
Daniel L. Oney	Position #30-02-00102

Jeffrey B. Bankert	Position #30-02-00064
David A. Nalepa	Position #30-02-00086
William R. Griffith	Position #30-02-00065
Gary L. Wedlund	Position #30-02-00089
John A. Grembowski, Jr.	Position #30-02-00020

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Residency Hearing Reviews.

No residency hearing reviews were submitted this month.

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RE: Administrative/Jurisdictional Reviews.

Review of the appeal of Tim O'Callaghan regarding the reinstatement to the police officer eligible list denied – Appeal No. 06-CA-0030.

The Commissioners reviewed the appeal Mr. O'Callahan filed on July 14, 2006. The basis of his appeal was that although he resigned from the Academy because he had a knee injury which he believed prevented him from performing as well as he expected, he has now recovered, and his "physical fitness level has improved". He also indicated that Officer Paige told him that the Division "could still use you" if he were reinstated.

Mr. O'Callaghan's resignation letter was dated January 4, 2006 and stated:
I respectfully resign from my appointment to the Columbus Division of Police effective immediately. I have determined that a career in law enforcement is not what I had anticipated and I will be returning to my former place of employment.

Civil Service Rule XII (B)(1) states in its pertinent part:
Unless the appointing authority consents to a shorter notice, an employee in the classified service who wishes to leave the service in good standing shall file with the appointing authority a written resignation giving at least two weeks notice.

Mr. O'Callaghan's termination paperwork reflects that, as he requested, the Department processed his resignation "immediately." It also reflects that he did not resign in good standing and that the Department would not offer him future employment. Human Resource representatives from the Department of Public Safety's Director's Office and from the Division of Police indicated that they do not want him reinstated to the eligible list. He resigned without sufficient notice and his resignation letter reflected a lack of interest in a career in law enforcement, rather than an inability to perform due to an injury.

Based on the foregoing, the Commission dismissed Mr. O'Callaghan's appeal without a hearing.

Review of the appeal of Heather Reese regarding a request for test accommodation denied – Appeal No. 06-CA-0032.

The Commissioners reviewed the appeal Ms. Reese filed on August 1, 2006, based upon the fact that she filed a Request for Accommodation on July 14, 2006, and on that date, a Commission staff member told her that she could take the exam for Office Manager I on July 18, 2006. She believes that since she took the exam on July 18, 2006, her score should be merged with the eligible list.

The pertinent facts surrounding the Office Manager I exam administration are as follows:

1. July 11, 2006 morning session – A power outage occurred at the test site. Those present were told that since there were not enough Request for Test Accommodation forms at the test site, they could write down and submit alternate test dates/test times, and Commission staff would contact them with a rescheduled test date.
2. July 11, 2006 afternoon session – Ms. Reese was scheduled to take the exam during this session. She did not show up for the exam and she did not contact Commission staff to let them know she would not be present. The exam was administered as scheduled.
3. July 14, 2006 – Ms. Reese phoned Commission staff and stated that she failed to appear for the exam due to what she referred to as a “scheduling mix-up.” Commission staff advised her to file a Request for Test Accommodation.
4. July 14, 2006 – Ms. Reese faxed the Request for Test Accommodation to the Commission and indicated that she missed the exam due to what she termed, “a schedule mix-up.”
5. July 14, 2006 – Upon reviewing the Test Accommodation Request, Don White determined that since it was submitted after Ms. Reese’s originally scheduled test date, it should not be handled as a Request for Test Accommodation, because those requests should be submitted prior to, or on the scheduled test date. He handled it as a Request for Review, and Ms. Reese received a letter from Director McGrath, dated July 27, 2006, which denied the request.
6. July 14, 2006 – Ms. Reese evidently phoned Commission offices and spoke with Barb Hutton, who mistakenly concluded that she was part of the group of examinees who, due to the power outage, were unable to take the test the morning of July 11, 2006. Based on that conclusion, she scheduled Ms. Reese to take the exam on July 18, 2006 and she took the exam on that date.

Commission policy allows alternate test dates to be scheduled very rarely. Usually, the request must be submitted in advance of the scheduled test date and must be due to a previously scheduled commitment that cannot be delayed. If an unavoidable emergency situation arises on the scheduled test date, and an applicant can provide documentation to verify the emergency, then the Commission has allowed applicants to submit a Request for Test Accommodation on the scheduled test date.

In Ms. Reese’s case, she did not contact the Commission on or before July 11, 2006, the date she was scheduled to be examined. In fact, she did not contact the Commission until July 14, 2006, and even then, her explanation for missing the examination was a vague reference to a “schedule mix-up.” The test accommodation process is not provided based on an applicant’s inability to keep track of their scheduled test date and/or time.

Based on the foregoing, the Commission dismissed Ms. Smith’s appeal without a hearing.

Review of the appeal of Deryl L. Seward regarding a review of Firefighter test results denied – Appeal No. 06-CA-0033.

The Commissioners reviewed the appeal filed by Mr. Seward on August 10, 2006, regarding the results on the Firefighter exam.

In Mr. Seward’s Request for Review submitted on July 25, 2006, he requested that his exam be manually rescored to verify that he did not pass the Firefighter

multiple-choice exam. The testing staff re-graded his exam manually and informed him that he was given the correct score of 66.0.

In his appeal, he stated that he was on the current list and was just taking the exam to “cover” himself. He also wrote that he was one point below passing. Although his name is on the current Firefighter eligible list, that list is due to expire and will be replaced with the 2006 list.

In addition, although Mr. Seward was only one point below the cut-off score, one must have scored a 67.0 to pass the exam. A passing score must be set for any exam. The only remedy available was to rescore his exam by hand, which has already been done. Unfortunately, he did not score high enough to pass.

Based upon the foregoing, the Commissioners dismissed Mr. Seward’s appeal without a hearing.

Applicants Removed Post-Exam		
Name of Applicant	Position applied for	BAR #
Patrick Landis	Police Officer	06-BR-056
Randell Coffman	Police Officer	06-BR-064
Eric Leonard	Police Officer	06-BR-065
Brady Rich	Police Officer	06-BR-066
Scott Bayse	Police Officer	06-BR-067
Kenneth Larue	Police Officer	06-BR-068
Abreaham Belcher	Police Officer	06-BR-069
Chad Schirtzinger	Police Officer	06-BR-070
Ryan Mathews	Police Officer	06-BR-071
John Fisher	Police Officer	06-BR-072
Michael Tabor	Police Officer	06-BR-073
Nneka Boykin	Police Officer	06-BR-074
Michael Arehart	Police Officer	06-BR-075
Anthony Leo	Police Officer	06-BR-076
Charles Moore	Police Officer	06-BR-077
Mark McMillen	Police Officer	06-BR-080

After reviewing the files of Patrick Landis, Randell Coffman, Brady Rich, Scott Bayse, Kenneth Larue, Abreaham Belcher, Chad Schirtzinger, Michael Arehart, Anthony Leo, and Charles Moore, the Commissioners decided their names would not be reinstated to the police officer eligible list.

After reviewing the files of Eric Lenoard, Ryan Mathews, John Fisher, Michael Tabor, Nneka Boykin, and Mark McMillen, the Commissioners decided their names would be reinstated to the police officer eligible list.

APPLICANTS PREVIOUSLY REMOVED POST-EXAM
RECONSIDERED DUE TO BACKGROUND STANDARDS REVISION

Name of Applicant	Position applied for	BAR #
Shawn Davis	Police Officer	06-BR-021
Nicholas Mason	Police Officer	06-BR-020
William Morgan	Firefighter	04-BR-040
Reginald A.C. Wells	Firefighter	04-BR-072

After reviewing the files of Shawn Davis, Nicholas Mason, William Morgan, and Reginald A.C. Wells, the Commissioners decided their names would be reinstated to the police officer eligible list, based on the revisions to the Background Removal Standards approved earlier in this meeting.

The Commissioners adjourned their regular meeting at 9:41 a.m. to hear the appeal of John Meyers, from the action of the Department of Public Safety, Division of Police, discharging him from the position of Police Lieutenant – Appeal No. 06-CA-0006.

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Priscilla R. Tyson, Commission President	September 25, 2006 Date